

JUN 24 1986

99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-643

ORIGINAL

PROVIDING THAT THE PRESIDENT SHALL CONTINUE TO ADHERE TO THE
NUMERICAL SUBLIMITS OF THE SALT AGREEMENTS AS LONG AS THE
SOVIET UNION DOES LIKEWISE

JUNE 17, 1986.—Referred to the House Calendar and ordered to be printed

Mr. FASCELL, from the Committee on Foreign Affairs,
submitted the following

REPORT

together with

MINORITY VIEWS

[To accompany H. Con. Res. 350]

The Committee on Foreign Affairs, to whom was referred the concurrent resolution (H. Con. Res. 350) providing that the President shall continue to adhere to the numerical sublimits of the SALT agreements as long as the Soviet Union does likewise, having considered the same, report favorably thereon with an amendment and recommend that the concurrent resolution as amended do pass.

The amendment is as follows:

Strike out all after the resolving clause and insert the following:

SECTION 1. FINDINGS.

The Congress finds that—

- (1) The constraints on the growth of Soviet nuclear forces, especially those involving numerical sublimits, imposed by the SALT arms control agreements serve vital United States national security interests, especially in this time of fiscal austerity;
- (2) a failure to adhere to the SALT agreements would result in a significantly increased threat to the United States by allowing the Soviet Union to increase significantly the number of warheads it could have under the SALT agreements and to substitute all of its single-warhead ICBMs and SLBMs with multiple-warhead missiles;
- (3) the SALT agreements provide some important measures for monitoring Soviet nuclear force developments and for verification;
- (4) the United States and the Soviet Union have not undercut the numerical sublimits of the SALT agreements;
- (5) although allowing for modernization under which the Soviets have removed over 800 ICBM missiles and replaced them with newer types, the SALT agreements have required the Soviet Union to dismantle over 260 ICBM launchers, over 240 SLBM launchers, and 14 Yankee-class nuclear missile-carrying submarines;

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(6) the Administration contends that the Soviet Union has violated some of the provisions of the SALT agreements that do not deal with numerical sublimits by taking such steps as deploying more than one new type of ICBM, exceeding the limit on strategic nuclear delivery vehicles, and excessively encrypting telemetry;

(7) disputes over Soviet compliance with the SALT agreements could be resolved within the Standing Consultative Commission, by the on-going negotiations at Geneva, or by other means; and

(8) our European allies have expressed their special concern over the tentative decision to discontinue United States adherence to the SALT agreements in the future.

SEC. 2. CONTINUED ADHERENCE TO SALT NUMERICAL SUBLIMITS AND OVERALL NUMERICAL LIMIT.

The President shall continue to adhere to the numerical sublimits of the SALT agreements as long as the Soviet Union does likewise, and the President shall continue to adhere to the overall numerical limit of the SALT agreements as long as the Soviet Union does likewise.

PURPOSE OF THE RESOLUTION

The purpose of the resolution is to provide that the President shall continue to adhere to the numerical sublimits of the SALT agreements as long as the Soviet Union does likewise and that the President shall continue to adhere to the overall numerical limit of the SALT agreements as long as the Soviet Union does likewise.

The SALT II agreement, signed by President Carter and General Secretary Brezhnev in 1979 but never approved by the Senate, contains the following numerical sublimits, to which House Concurrent Resolution 350 refers:

- 820 intercontinental ballistic missiles (ICBM's) carrying multiple independently targetable reentry vehicles (MIRV's);
- 1,200 ICBM's carrying MIRV's and submarine launched ballistic missiles (SLBM's) carrying MIRV's;
- 1,320 ICBM's carrying MIRV's, plus SLBM's carrying MIRV's, plus heavy bombers equipped for air-launched cruise missiles capable of a range in excess of 600 kilometers.

As a separate but related element, SALT II also provides for an overall strategic nuclear delivery vehicle (missiles and heavy bombers) numerical limit of 2,400.

The SALT I Interim Agreement, signed by President Nixon and General Secretary Brezhnev and approved by the Congress in 1972, provides for sublimits on SLBM launchers and ballistic missile submarines.

COMMITTEE COMMENT

In favorably reporting House Concurrent Resolution 350, the Committee on Foreign Affairs expresses its strong concern about President Reagan's May 27, 1986, announcement that his administration would no longer be bound by the SALT arms control agreements and that the United States could possibly exceed the SALT numerical sublimits as early as this November.

Based upon extensive examination and discussion of the SALT agreements, the committee concludes that abandoning SALT at this time would cause adverse military, budgetary, and diplomatic problems for the United States. Moreover, abandoning the SALT agreements at this time could destroy the entire arms control proc-

ess, which has been carefully nurtured over a 15-year period by Presidents Johnson, Nixon, Ford, and Carter.

Issues of Soviet noncompliance with the SALT agreements (particularly Soviet encryption of telemetry and the deployment of more than one "new type" of missile) are very serious concerns in need of further clarification and resolution through appropriate channels such as the Standing Consultative Commission (SCC). However, the committee finds that vital U.S. national security interests are served by continued Soviet adherence to the SALT numerical sublimits. This outweighs the adverse implications of abandoning the SALT agreements, thereby permitting Soviet noncompliance with all of the provisions of the agreements.

House Concurrent Resolution 350 provides that the President shall maintain the numerical sublimits of the SALT agreements, as long as the Soviet Union does not breach those sublimits, and to comply with the overall numerical limit of the SALT agreements as long as the Soviet Union does likewise. Conversely, the resolution does not require the President to adhere to any of the SALT numerical sublimits of the treaty if the Soviet Union has not complied with those sublimits. In addition, the United States is not bound by the overall numerical limit of SALT II if the Soviet Union has failed to comply with that overall numerical limit.

COMMITTEE ACTION

As part of the Foreign Affairs Committee's oversight of arms control as an important issue of national security, the Subcommittee on Arms Control, International Security, and Science conducted hearings on "The Implications of Abandoning SALT" on April 15, 1986. The subcommittee heard from the Honorable Harold Brown, former Secretary of Defense, and currently distinguished visiting professor of National Security Affairs, Johns Hopkins Foreign Policy Institute, and the Honorable Ralph Earle, former Director of the Arms Control and Disarmament Agency, and chief U.S. negotiator to the SALT II talks.

On June 12 the committee heard from representatives of the Department of State and the Arms Control and Disarmament Agency before marking up House Concurrent Resolution 350.

The resolution was subsequently favorably approved after the committee adopted an amendment in the nature of a substitute by a recorded vote of 29 to 11.

KEY ISSUES AND COMMITTEE CONCLUSIONS

In reporting House Concurrent Resolution 350, as amended, the committee agreed to a number of findings. These findings, with an elaboration of the key issues, are as follows:

(1) The constraints in the growth of Soviet nuclear forces, especially those involving numerical sublimits, imposed by the SALT arms control agreements serve vital United States national security interests, especially in this time of fiscal austerity.

The following adverse implications for U.S. national security interests would result from abandoning the numerical sublimits imposed by the SALT arms control agreements:

- Between 1985 and 1990, the United States would lose the opportunity to force the Soviets to retire more existing strategic systems (approximately twice as many) than the United States would be required to retire if the SALT process were in force.
- Due to greater capacity for producing strategic forces and the greater throw weight of its ICBM force, the Soviet Union could deploy a larger number of strategic weapons than the United States is currently capable of deploying. In the near term, such a development would place U.S. land-based forces at greater risk and create the very situation the administration has vigorously argued must be avoided.
- Large increases in the number of Soviet strategic weapons would complicate U.S. efforts to secure its ICBM force through the deployment of a small single-warhead mobile missile.
- In a year that will most likely see a zero-growth budget in defense, the economic capability of the United States to respond to a Soviet buildup without SALT will be severely inhibited. With the Gramm-Rudman deficit reduction plan in effect the United States will be left with hard choices: To raise taxes, further cut social programs or reduce deployments of conventional weapons, or to let the Soviets race ahead of the United States without SALT.
- Any prospect of eventually deploying a Strategic Defense Initiative (SDI)-like antiballistic missile system would be seriously jeopardized and be made far more costly if both sides were allowed to expand freely their offensive nuclear arsenals.
- A decision by the administration to abandon SALT could play directly into the hands of the Soviet Union's strongest suit, numerical strength, and undermine the United States offsetting technological edge.

In short, given both its projected strategic deployments and current force posture, the Soviet Union is better positioned to achieve a strategic advantage in a world without the SALT agreements. A world without SALT in which the Soviet Union enjoyed the option of pursuing such an advantage would clearly be anathema to U.S. national security interests.

Failure by either side to adhere to the SALT arms control agreements could also result in a complete breakdown in the regime of arms control and produce an unrestrained arms race. Such a development could eliminate the prospect for arms control in Geneva and elsewhere in the near and perhaps long term; call into question the continued viability of the ABM Treaty; foster the deployment of new and even more destructive nuclear systems; increase the uncertainty on both sides about the capabilities and intentions of the other; strain U.S.-Allied relations; exacerbate United States-Soviet relations, and ultimately increase the risk of an all-out nuclear war.

(2) A failure to adhere to the SALT agreements would result in a significantly increased threat to the United States by allowing the Soviet Union to increase significantly the number of warheads it could have under the SALT agreements and to substitute all of its single-warhead ICBM's and SLBM's with multiple-warhead missiles.

Without SALT constraints, the Soviet Union could significantly increase the number of warheads in its strategic arsenal, and under various, though reasonable, assumptions, could more than double the number of warheads.

A Congressional Research Study ("U.S./Soviet Strategic Nuclear Forces: Potential Trends With or Without SALT"—11/5/84) concludes that the Soviet Union could more than double the number of warheads in its strategic arsenal from the December 1983 level of 9,771 to a December 1984 level of 20,694 warheads.

The CRS study assumes that the United States and the U.S.S.R. would mutually abandon the no-undercut policy and that both countries would extend and accelerate production rates for certain weapons.

Soviet programs could be extended in the following manner:

- beginning in 1987, convert 308 SS-18's from 10 to 14 warheads resulting in an increase of 1,232 warheads from current levels;
- produce 300 SS-24 missiles through 1994;
- beginning in 1990, double the deployment rate of Typhoon-class SSBN's;
- produce 100 Bear H bombers through 1990;
- produce 225 Blackjack bombers through 1994;
- deploy 250 ALCM-equipped bombers (100 Bear H's and 150 Blackjacks) by the end of 1994.

The figures compiled in the CRS study, moreover, were corroborated by the CIA at a hearing on "Soviet Strategic Force Developments" before the Senate Committee on Armed Service's Subcommittee on Defense (6/26/85). During the hearing, Lawrence K. Gershwin, National Intelligence Officer for Strategic Programs, National Intelligence Council, said the following about the potential growth of Soviet strategic forces: "... in the absence of arms control constraints, [the Soviets] clearly have the capability for further expansion to between 16,000 and 21,000 deployed warheads by the mid-1990's." Those figures were also endorsed by representatives from ACDA and the State Department during the markup of House Concurrent Resolution 350.

According to the Joint Chiefs of Staff (JCS) figures, the Soviet Union has over 1,000 SALT accountable single-warhead missiles (not including the single-warhead SS-25) in its operational forces:

SS-11	450
SS-13	60
SS-N-6	304
SS-N-8	292
SS-N-17	12
Total	1,118

Absent the numerical sublimits of the SALT agreements, the Soviet Union would be free to replace all of its 1,118 single-warhead ICBM's and SLBM's with multiple warhead missiles. In the case of MIRV'ed ICBM's, the Soviet Union (currently at 818 MIRV'ed ICBM's, 2 short of the 820 SALT limit) is required to remove MIRV'ed ICBM's on a one-for-one basis as it deploys newer MIRV'ed ICBM's. Without SALT, no such constraint on Soviet ICBM's would exist.

(3) *The SALT agreements provide some important measures for monitoring Soviet nuclear force developments and for verification.*

The SALT agreements are structured to facilitate adequate verification by the existing intelligence systems of the United States and the Soviet Union. For example, the launcher was chosen as SALT's basic unit of account because it can be monitored by each country's reconnaissance satellites. Similarly, the characteristic of MIRVed missiles can be verified in a manner to determine the number of reentry vehicles each type of missile carries and its characteristics. The SALT agreements contain provisions that limit the number of reentry vehicles a ballistic missile type can carry to the maximum number of MIRV's carried during the missile's testing phase.

SALT enhances verification by providing for a number of cooperative measures to assist in the gathering of intelligence through national technical means—NTM—(that is, reconnaissance satellites and ground-based technical systems such as radars and radio antennas), to assist NTM monitoring compliance, the SALT agreements: Prohibit the deliberate denial (encryption) of telemetry (information emitted from a missile during testing) needed to verify compliance with the treaty; ban the use of deliberate concealment measures that impede verification; require the use of functionally related observable differences (FROD's) to distinguish different types of systems; and require advance notification of certain ICBM tests.

The administration's reports to Congress on Soviet noncompliance charge that the Soviet Union has engaged in a pattern of encryption that impedes verification of adherence to the treaty. There is a substantial amount of intelligence that exists to support this charge. However, the committee finds that the SALT agreement enhances United States-Soviet strategic cooperation in a number of very critical areas.

For example, without SALT the Soviet Union could begin to cover silos of deployed missiles, hide the location of its new generation SS-24 and SS-25 mobile missiles, and test at one time dozens of its ICBM's from concealed launchers, which might appear as a real attack to American satellites and radars.

In addition, the ability of U.S. intelligence agencies to monitor compliance with other arms control agreements (such as the ABM Treaty) could be severely impeded if SALT was abandoned. The Soviet Union could easily adopt a number of concealment and camouflage techniques that would vastly complicate U.S. intelligence gathering capabilities. If the Soviet Union chooses to alter its current policy of noninterference with U.S. reconnaissance satellites, such a development could cripple U.S. space-based capabilities, on which the United States relies far more than the Soviet Union.

All of the relevant U.S. Government agencies—DOD, State Department, CIA, and JCS—certified that SALT was adequately verifiable when it was submitted to the Senate in 1979. Seven years later, the continued viability of SALT is borne out by the fact that it still enhances and facilitates our intelligence agencies' gathering of pertinent data on Soviet strategic nuclear forces.

Any future arms control agreement, whether it uses launchers, warheads, or another unit of account, will certainly have to incor-

porate many of the verification and compliance techniques of the SALT agreements as well as many other provisions for verification and compliance worked out in the Standing Consultative Commission (SCC).

(4) *The United States and the Soviet Union have not undercut the numerical sublimits of the SALT agreements.*

SALT II provides for the following numerical sublimits:

- 820 intercontinental ballistic missiles (ICBM's) carrying multiple independently targetable reentry vehicles (MIRV's);
- 1,200 ICBM's and submarine launched ballistic missiles (SLBM's) carrying MIRV's;
- 1,320 ICBM's carrying MIRV's, plus SLBM's carrying MIRV's, plus heavy bombers equipped for air-launched cruise missiles capable of a range in excess of 600 kilometers.

SALT II also provides for the following reentry vehicle limits for MIRV'ed ICBM's, SLBM's, and air-to-surface missiles (ASBM's): ICBM—10; SLBM—14; and ASBM—10.

To date, neither the Soviet Union nor the United States has exceeded any one of these numerical sublimits. This fact was confirmed by administration witnesses at the Foreign Affairs Committee markup of June 12, 1986.

Approximate United States and Soviet totals for each category of SALT II limits on MIRV'ed systems are:*

	United States	U.S.S.R.
ICBM's (820 = limit)	550	818
ICBM's and SLBM's (1,200 = limit)	1,198	1,154
ICBM's/SLBM's/ALCM's (1,320 = limit)	1,305	1,204

* These totals do not reflect the President's recent decision to dismantle two Poseidon submarines with 16 launchers each.

In addition, SALT I provides for these numerical sublimits:

SLBM launchers.....	U.S. limit = 710
	Soviet limit = 950
Modern SSBN's	U.S. limit = 44
	Soviet limit = 62

To date, neither the Soviet Union or the United States has undercut this SALT I numerical sublimit.

Approximate United States and Soviet totals with respect to the SALT I sublimit are:

	United States	U.S.S.R.
SLBM launchers.....	707	944
Modern SSBN's	37	62

(5) *Although allowing for modernization under which the Soviets have removed over 800 ICBM missiles and replaced them with newer types, the SALT agreements have required the Soviet Union to dismantle over 260 ICBM launchers, over 240 SLBM launchers, and 14 Yankee-class nuclear missile-carrying submarines.*

According to administration figures, as a result of the SALT agreements, the Soviet Union has removed 510 SS-11 single-warhead missiles and 308 SS-9 single warhead missiles for a total of

818. All of these missiles were replaced with newer Soviet ICBM's: The SS-11's were replaced with MIRV'ed SS-17's, and SS-19's and the SS-9's were replaced with MIRV'ed SS-18's.

Administration figures indicate that as a result of the SALT agreements, the Soviet Union has dismantled 279 ICBM launchers, including 190 SS-7's, 19 SS-8's, and 70 SS-11's. With respect to SLBM launchers, the Soviet Union has dismantled 245, including 21 single-warhead SS-N-5's and 224 single warhead SS-N-6's.

Administration figures also indicate that 14 Yankee-class submarines have been dismantled according to SALT procedures.

(6) The administration contends that the Soviet Union has violated some of the provisions of the SALT agreements that do not deal with numerical sublimits by taking such steps as deploying more than one new type of ICBM, exceeding the limit on strategic nuclear delivery vehicles, and excessively encrypting telemetry.

For the past 2 years the President has been required to submit a report to Congress on Soviet compliance with existing arms control agreements. The report, entitled "the President's Report on Soviet Non-Compliance" was first submitted in February 1985 and again in December 1985. Both reports key on two Soviet violations of SALT II: (1) Soviet violation of the provisions that permit each side to flight test and deploy just one new type of "light" ICBM; (2) Soviet encryption of telemetry. In addition to these two violations, the December 1985 report states that the Soviet Union has deployed strategic nuclear delivery vehicles (SNDV's) above the 2,504 level deployed as of the signing of SALT II. The administration contends that these additional deployments are "in violation of its political commitment under SALT II." A summary of the administration's allegations of Soviet treaty violations follows:

ICBM new type limit.—The President has reported that the Soviet Union violated article IV, paragraph 9 of SALT II by testing and deploying two new ICBM's. The missile in question is the single-warhead SS-25, which can be deployed in a mobile mode. The Soviets claim that the missile is a permitted modification of its older SS-13. The administration, however, maintains that the throwweight of the SS-25 exceeds that of the SS-13 by more than the 5 percent allowed by the treaty for modifications, so that the SS-25 cannot be classified as a modified SS-13.

The administration further charges that, even if the United States were to accept the Soviet argument that the SS-25 is a modified SS-13, the reentry vehicle observed during test flights would be too light to be consistent with SALT II. It would violate a missile fractionation restriction in article IV, paragraph 10 (Third Agreed Statement), which states that the reentry vehicle must be greater than 50 percent of the throwweight of the ICBM.

Encryption of telemetry.—Article XV of the SALT II Treaty prohibits deliberate concealment measures that impede verification of adherence to the treaty provisions by national technical means. This section of the treaty also prohibits the deliberate denial of telemetric information whenever such denial impedes verification of compliance with the provisions of the treaty.

The President has reported that the Soviet pattern of encryption has become more extensive and disturbing. In the December 1985 report on Soviet noncompliance, the President noted, in addition to

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the encryption issue, that the Soviets had violated deliberate concealment measures associated with testing, including those measures aimed at concealing the association between ICBM's and launchers during testing. The President further noted that deliberate Soviet concealment activities "impede" our ability to know whether a type of missile is in compliance with SALT II requirements * * * and make it more difficult for the United States to assess accurately the critical parameters of any future missile."

Strategic nuclear delivery vehicle limit.—Article III of SALT II, had it entered into force, would have required each side to limit its aggregate SNDV's (ICBM launchers, SLBM launchers, and heavy bombers) to 2,400. Article III also called for a reduction to 2,250 SNDV's by January 1, 1981. When the treaty was signed, the Soviet aggregate SNDV figure was 2,504. Compliance with the letter of the agreement would have required the Soviets to dismantle SNDV's when the treaty came into force and additional SNDV's by January 1981. When the preratification legal obligation lapsed and a "political commitment" was assumed in 1981, the Reagan administration did not expect the Soviets to reduce their SNDV total to the article III limits but did expect them to refrain from building up above 2,504. The February 1, 1986, report on Soviet noncompliance, prepared by the Arms Control and Disarmament Agency, currently places the best estimate of Soviet SNDV's at approximately 2,520.

While the committee recognizes that the administration's allegations of Soviet noncompliance are serious and in need of resolution, it also recognizes that the issues at hand involve ambiguous "gray area" provisions in the treaty that are in need of further clarification and elaboration.

With respect to Soviet encryption of telemetry, the Soviet Union takes the position that encryption is permitted by SALT II so long as the ability to verify the treaty's provisions remains unimpeded. The Soviet Union has requested from the United States telemetric information that it needs for verification purposes, contending that the United States has alternative methods for determining missile characteristics relevant in gauging compliance with the treaty. The United States has declined to reveal which telemetry is needed on the grounds that its intelligence gathering sources and methods would be compromised.

The dispute reflects the inherent ambiguity of the treaty's provisions dealing with encryption, which will continue to be an area of contention until greater clarification of the provision is achieved through appropriate channels such as the SCC. It should also be pointed out that the treaty's encryption provisions were crafted at the request of U.S. military representatives who opposed a total ban on encryption.

Similar ambiguities are associated with the SS-25. While the United States has concluded that the SS-25 appears to have a greater increase over the SS-13's throwweight than the 5-percent change permitted in SALT II, the Soviet Union has claimed that the SS-13's throwweight includes guidance systems and penetration aids in the third stage that the United States had failed to include in its estimate of throwweight. This forms the basis of the Soviet charge that the United States has intentionally underesti-

mated the SS-13's throwweight. The issue is further clouded by the fact that the definition of "throw-weight" agreed upon in SALT leaves considerable room for interpretation.

(7) Disputes over Soviet compliance with the SALT agreements could be resolved within the Standing Consultative Commission, by the ongoing negotiations at Geneva, or by other means.

To promote the objectives and implementation of the SALT agreements, the United States and U.S.S.R. established the Standing Consultative Commission (SCC), which considers questions concerning compliance and verification; changes in the strategic situation that have a bearing on the treaty; questions including unintended interference with NTM; procedures for replacement, conversion, and dismantling or destruction of strategic offensive arms; and proposals for increasing the viability of the treaty.

Prior to the current administration, the U.S. Government had been generally satisfied with Soviet compliance. When SALT II was presented to the Senate in 1979, all of the relevant intelligence agencies rated Soviet compliance with SALT I as good. Although a number of questionable Soviet activities had been detected and presented to the SCC, the Nixon, Ford, and Carter administrations all concluded that every case had been adequately resolved. On the basis of additional information, each questionable activity was deemed acceptable, seen as a difference involving a "gray area" and clarified, or was stopped.

Current compliance issues might also be resolved in the course of the ongoing Geneva arms control negotiations, at a summit, or at meetings involving national security experts for both countries.

In addition to these steps, the United States could choose to employ other means after having exhausted all avenues of diplomacy and consultation. One such "means" was suggested by former Defense Secretary Harold Brown who at a recent hearing of the Subcommittee on Arms Control, International Security and Science stated that he favored moving more quickly on the Midgetman ICBM as part of an effective response to Soviet noncompliance rather than taking any action at this time that would breach the numerical sublimits of the treaty.

(8) Our European allies have expressed their special concern over the tentative decision to discontinue United States adherence to the SALT agreements in the future

The President's decision to jettison SALT has badly strained U.S. relations with its European allies. The European members of NATO have been virtually unanimous in criticizing the administration's announcement that it would break away from the SALT agreements at the end of the year.

Responding to the President's recent decision, Britain's Prime Minister Thatcher said that "the SALT II Agreement should continue to be observed by both sides." West German Chancellor Helmut Kohl also urged the President to stay within the boundaries of the treaty.

The sentiments of Prime Minister Thatcher and Chancellor Kohl were echoed in a recent NATO meeting of Foreign Ministers. During the meeting, allied representatives repeatedly warned that the President's decision would have serious public opinion conse-

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quences in Western Europe and strengthen the case of those arguing that the United States has no genuine interest in arms control.

There are a number of reasons why the European allies regard the President's willingness to exceed the SALT limits as highly detrimental to their security. First, they fear that the President has abandoned arms control and that an all-out arms race could ensue. Such an arms race increases tensions and raises the prospect of war which, the European fear, would be fought in Western Europe. Second, increased tensions between East and West tend to polarize European societies, create political tensions, and undermine the necessary consensus for defense efforts. Finally, the Soviet Union, responding to an accelerated arms race, could choose to increase its intermediate-range (INF) SS-20 deployments, which Europeans find particularly threatening to their security and deterrent capabilities.

Furthermore, as a consequence of abandoning SALT, the European antinuclear movement might gain new life and again directly challenge the West German and other allied governments. Opposition parties, which do not favor NATO INF deployments could be returned to power. European support for the SDI program could be undermined and the Soviet Union could score a major public relations coup among our European allies.

Based on these findings, the committee agreed to the provisions of the resolution stating that the President shall continue to adhere to the numerical sublimits of the SLAT agreements as long as the Soviet Union does likewise, and the President shall continue to adhere to the overall numerical limit of the SALT agreements as long as the Soviet Union does likewise.

STATEMENT REQUIRED BY CLAUSE 2(1)(3) OF HOUSE RULE XI

Oversight findings and recommendations.—Based on the oversight activities described in the "committee action" section of this report, the committee recommends passage of House Concurrent Resolution 350.

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MINORITY VIEWS OF MESSRS. WILLIAM S. BROOMFIELD,
BENJAMIN A. GILMAN, ROBERT J. LAGOMARSINO, TOBY
ROTH, HENRY J. HYDE, GERALD B.H. SOLOMON, MARK D.
SILJANDER, ED ZSCHAU, ROBERT K. DORNAN, CONNIE
MACK, MICHAEL DeWINE, DAN BURTON, AND JOHN
McCAIN

It is distressing that a majority of this Committee approved House Concurrent Resolution 350, providing that the President shall adhere to the overall numerical limits and sublimits of the SALT agreements. We are most concerned that this Committee has decided to legislate adherence to certain numerical provisions of the never-ratified, expired if ratified, fatally-flawed SALT II Agreement.

In this regard the President has cited, in his December, 1985 Arms Control Compliance Report to the Congress, that the Soviets have violated their arms control obligations by exceeding the numerical overall Strategic Nuclear Delivery Vehicles (SNDVs) limit set by the SALT II Agreement. Specifically, the Arms Control and Disarmament Agency in a March 1986, unclassified report on Soviet noncompliance, maintains that during the last year, the Soviet SNDV aggregate varied from near 2,504 to approximately 2,540. According to the ACDA report:

Upon entry into force of the SALT II Treaty each Party was to undertake to limit the number of strategic nuclear delivery vehicles (SNDVs)—ICBM launchers, heavy bombers, and air-to-surface ballistic missiles—to an aggregate number not to exceed 2,400. Thereafter the aggregate was to be further reduced to 2,250 SNDVs. At the time of the signing of the SALT II Treaty the Soviet Union and the United States agreed in a Memorandum of Understanding that as of November 1, 1978 the Soviet Union's aggregate number of SNDVs was 2,504.

Since the Treaty has never entered into force, the Soviets have never been under an obligation to reduce their SNDVs to 2,400 from the 2,504 listed in the Memorandum of Understanding that is a part of SALT II, nor have they ever been obligated to the later reduction to 2,250 also scheduled by the Treaty.

The question at issue is whether any increase in SNDVs above 2,504 is consistent with the Soviet Union's political commitment to abide by the SALT II Treaty. While the SNDV aggregate varied from near 2,504 to approximately 2,540 during the last year, on November 30, 1985 (the cutoff date for the March 1986 report) the best U.S. estimate of Soviet SNDVs was approximately 2,520.

The Preamble and Article I of the SALT II Treaty make clear that the fundamental objective of the Treaty is to place limits on strategic offensive arms. Article III places such limits on SNDVs and, when the Soviet Union made its political commitment to abide by SALT II, it committed itself not to act inconsistently with the fundamental objective of the Treaty.

Given this assessment, we believe that the Soviet Union has deployed SNDVs above the 2,504 cap in violation of at least its political commitment to the SALT II overall numerical limit and that H. Con. Res. 350 fails to fully take this into account.

At the same time, the Committee, in adopting this resolution, has failed to more fully address the Soviet Union's non-compliance with other important qualitative provisions of the SALT agreements. Apart from the overall numerical limitation problem, we believe that the Soviets have violated their commitment to SALT II in several significant areas, including deployment of a second new ICBM and encryption of missile telemetry. Moreover, we firmly believe that the Soviet Union continues to build a major new radar in violation of the ABM Treaty and we are concerned over the widespread Soviet violations of other agreements, including the Helsinki Final Act. We are especially chagrined over the Chernobyl disaster, which serves as an unnerving reminder of yet another Soviet cover-up.

We believe that The Executive Branch, despite numerous efforts to reverse Soviet activities, including the use of the Standing Consultative Commission, has made clear in arms control compliance reports to the Congress that the Soviets haven't kept their word with us. The President stated in his December, 1985, compliance report to the Congress that the SS-25 mobile ICBM is a clear and irreversible violation of the Soviet Union's SALT II commitment and has important political and military implications. We believe that testing and deployment of this missile violates a central provision of the SALT II Agreement, which was intended to limit the number of new ICBMs. The Agreement permits only one new type of ICBM for each party and the Soviet Union has informed the United States that their one new type of ICBM is the SS-24. The President has also reported to the Congress that the Soviet use of the former SS-7 ICBM facilities in support of the deployment and operation of the SS-25 is a SALT I violation.

In his December report, the President also stated that Soviet use of encryption impedes U.S. verification of Soviet compliance and thus contravenes the provision of the SALT II Treaty that prohibits use of deliberate concealment measures, including encryption, which impedes effective verification of compliance by national technical means. Moreover, since the SALT I Agreement of 1972, we have been informed by the President that Soviet encryption practices have become more extensive.

It is unfortunate that the Committee could not recognize and cite these Soviet violations in the operative sections of the resolution. In adopting this resolution, this Committee would rather ignore the political and military impacts of Soviet violations—and ways to address the violations—while keeping the U.S. in strict technical

compliance with arms control agreements, which the Soviets aren't even abiding by.

The timing and substance of this resolution is pure politics and in the Committee's rush to judgment, it decided to enshrine a violated and ambiguous "non-treaty", which legitimizes an arms buildup, rather than seeking to support U.S. efforts to achieve deep, mutual and verifiable arms reductions. We believe that arms control, if done properly, can help provide the United States and the American people with a sense of security. Arms control, however, must be a two-way street and it must involve proposals which seek significant and verifiable reductions below SALT II levels.

It seems to us that the majority of the Committee somehow believes that if we don't strictly abide by the SALT II limitations, we will be abandoning arms control forever. We remind everyone that there is no obituary for nuclear arms reductions. In this regard, the United States has made arms control proposals in Geneva which involve the achievement of real reductions in the levels of nuclear weapons. Several rounds of nuclear arms reduction negotiations have already been completed—and serious discussions have taken place. Some sensible arms reduction proposals have been advanced by both sides—below SALT II levels. The Soviets are working toward the concept of reductions and recently tabled a new START proposal at the Geneva talks. While the Soviet proposals, like ours, must be further discussed, each side's approach provides common ground for continuing the talks in Geneva with the intent of achieving real reductions—below the numerical limitations of the unratified SALT II agreement.

Achieving such reductions has been, and continues to be, the President's highest priority. What concerns us is that the legislation adopted by the Committee prescribes SALT II levels as the valium of the nuclear age. In particular, the resolution has not taken into account the seriousness of Soviet violations, while providing no hope for substantive reductions below SALT II numerical limitations. Finally, we believe that this resolution, which emphasizes limit and sublimit compliance and ignores ways by which our nation can respond to qualitative Soviet violations, deprives the United States of the ability to act flexibly in making any future arms control and security decisions. What we see in this resolution is less sensible policy—and more superfluous politics.

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BEN GILMAN.
BOB LAGOMARSINO.
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HENRY HYDE.
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MARK SILJANDER.
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